

September 10, 2019

VIA ECF

The Honorable Judge Barbara Moses
Daniel Patrick Moynihan United States Courthouse
Room 20A
500 Pearl Street
New York, NY 10007-1312

Re: *Fujifilm Holdings Corp. v. Xerox Corp.*, No. 18-cv-5458 (JGK) (BCM)

Dear Judge Moses:

The undersigned represent the parties in the above-referenced matter. Pursuant to the Court's August 19 Order, we write jointly to provide the Court an update on the progress of discovery to date.

The parties have taken 7 fact depositions (one of which was also a Rule 30(b)(6) deposition), and 14 additional fact depositions are scheduled to take place in advance of the October 4, 2019 deadline. The parties are working through various open discovery items and hope to resolve those issues without need of the Court's assistance. At this time, the parties do not believe that settlement discussions would be productive.

In light of the continuing depositions, the parties respectfully request that the September 17, 2019 discovery conference occur telephonically.

Respectfully submitted,

Sidley Austin LLP

/s/ Andrew W. Stern
Andrew W. Stern
Nicholas P. Crowell
Alex J. Kaplan
Charlotte K. Newell
787 Seventh Avenue
New York, NY 10019
Telephone: (212) 839-5300

Elizabeth Y. Austin
1 S. Dearborn Street
Chicago, IL 60604
Telephone: (312) 853-7405

Counsel to Plaintiff Fujifilm Holdings Corp.

Willkie Farr & Gallagher LLP

/s/ Tariq Mundiya
Tariq Mundiya
Sameer Advani
Shaimaa Hussein
787 Seventh Avenue
New York, NY 10019
Telephone: (212) 728-8638

Counsel to Defendant Xerox Corp.